

Plain English Summary
Of Missouri Ethics Laws
For Candidates For
Election To Office
In Missouri



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This Guide is intended to provide a summary of the Missouri Ethics Laws that will affect the activity of individuals who are or may become a candidate for elective office at the State, County, Municipal or Special Districts in Missouri. For the Laws' complete requirements consult Chapters 105 and 130 RSMo.

The four major areas of law that apply to candidates are:

1. Personal Financial Disclosure Statements.
2. Campaign Finance Reporting.
3. Conflict of Interest.
4. Filing of Complaints.

PERSONAL FINANCIAL DISCLOSURE STATEMENT

Forms and instructions are available at <http://www.moethics.state.mo.us>.

The filing of this statement is based on the principle that information concerning a possible conflict of interest should be available to the public.

The statement must be filed by all candidates for:

Statewide Office

Missouri Senate and House of Representatives

Non-incumbent candidates for Circuit or Associate Circuit Judges

Candidates for Political Subdivisions*

**Unless* the subdivision has adopted its own ordinance or resolution about conflicts of interest or if the subdivision's annual operating budget is under one million dollars.

However, any candidate having a single transaction of \$500 or a total of \$1,500 per year from transactions with the subdivision shall file a statement.

PFD Filing Deadlines For Candidates

Statutory Election Dates	Closing Date of Filing For Candidacy	If Not Filed By This Date \$10.00 Per Day Fine Until Received	If Not Filed By This Date Candidate Disqualified and REMOVED From The Ballot
February 3, 2004	November 18, 2003	December 2, 2003	December 9, 2003
March 2, 2004	December 16, 2003	December 30, 2003	January 6, 2004
April 6, 2004	January 20, 2004	February 3, 2004	February 10, 2004
June 8, 2004	March 23, 2004	April 6, 2004	April 13, 2004
August 3, 2004	March 30, 2004	April 13, 2004	April 20, 2004
November 2, 2004	August 17, 2004	August 31, 2004	September 7, 2004

The previous chart indicates the dates that the financial statement must be filed with the Missouri Ethics Commission. If the political subdivision has adopted its own method of disclosing conflicts of interest, the report must also be filed locally. Also the chart indicates the actions that will be taken by the Missouri Ethics Commission if the statement is not filed by either of two specific date deadlines.

If you are unsure if something should be disclosed, there is no penalty for over disclosure. This may also avoid the appearance of concealing possible conflicts of interest.

CAMPAIGN FINANCE

Forms, instructions and brochures are available at <http://www.moethics.state.mo.us>.

Every candidate shall maintain records of each contribution received or expenditure made in support of his/her candidacy (including the candidate's own money).

The reporting requirements for candidates cover two separate areas, - what reports are required to be filed and where the reports are to be filed.

Reports To Be Filed and Due Dates

<u>Election Date</u>	<u>Feb 3</u>	<u>Mar 2</u>	<u>Apr 6</u>	<u>Jun 8</u>	<u>Aug 3</u>	<u>Nov 2</u>
Last Day to Organize a Committee	Jan 4	Feb 1	Mar 7	May 9	Jul 4	Oct 3
40 Day Before Report						
Closing Date	n/a	Jan 17	Feb 21	Apr 24	n/a	n/a
Due Date	n/a	Jan 22	Feb 26	Apr 29	n/a	n/a
8 Day Before Report						
Closing Date	Jan 22	Feb 19	Mar 25	May 27	Jul 22	Oct 21
Due Date	Jan 26	Feb 23	Mar 29	May 31	Jul 26	Oct 25
30 Day After Report						
Closing Date	Feb 28	Mar 27	May 1	Jul 3	Aug 28	Nov 27
Due Date	Mar 4	Apr 1	May 6	Jul 8	Sep 2	Dec 2

Quarterly Reports

Closing Date:	Dec 31	Mar 31	Jun 30	Sep 30
Due Date:	Jan 15	Apr 15	Jul 15	Oct 15

If the report is not received by the due date a \$10/day penalty will be assessed EXCEPT for the 8 Day Before Report which is \$100/day for the first 8 days and then \$10/day thereafter.

Where To File Campaign Finance Reports

<u>Office Sought</u>	<u>Appropriate Officer</u>
Office in special purpose district (school, fire, ambulance, etc.); Municipal Office in city with a population of 100,000 or less; County Office in county with a population of 100,000 or less (except County Clerk).	County Clerk for candidate's place of residence, except that in a city or county having a board of election commissioners the board shall be the local election authority.
Municipal Office in a city with a population of more than 100,000; County Office in a county with a population of more than 100,000; County Clerk, regardless of population; General Assembly, Partisan Circuit Court Judge, or Partisan Associate Circuit Court Judge.	Missouri Ethics Commission, AND County Clerk for candidate's place of residence, except that in a city or county having a board of election commissioners, the board shall be the local election authority.
Statewide Office	Missouri Ethics Commission
Federal Candidates	Federal Election Commission

I. **A candidate for Statewide Office, General Assembly or Municipal office in a city with a population of more than 100,000 SHALL**, no later than the first reporting date after the deadline to file a declaration of candidacy, **either**:

1. File a Statement of Exemption that the candidate does not intend to either receive contributions or make expenditures in the aggregate of more than \$500 or receive contributions from any single contributor, other than the candidate, that aggregate more than \$300 and that the total of all contributions received or expenditures made by the candidate and all committees or any other person with the candidate's knowledge and consent in support of the candidacy will not exceed \$500; **or**,
2. File a Statement of Committee Organization and subsequent campaign finance disclosure reports. *The last day to reject an exemption and form a committee is 30 days prior to the date of the election.*

II. **All other candidates for public office ARE NOT** required to file a statement of exemption in order to be exempt from filing campaign finance disclosure reports **if** the aggregate of contributions received or expenditures made by the candidate and any other person, with the candidate's knowledge and consent, in support of the person's candidacy **does not exceed \$1,000** and the aggregate of contributions from any single contributor **does not exceed \$300**.

However, if either of these thresholds (\$1,000/\$300) **is exceeded** the candidate is required to file a Statement of Committee Organization and campaign finance disclosure reports with the appropriate election authority. A committee shall be formed within 20 days of exceeding the thresholds. ***IMPORTANT: The last day a committee may be formed is 30 days prior to the date of the election.***

Political Advertising

I. **Printed matter** shall include any sign, including signs for display on motor vehicles, advertisement, and any advertisement in any newspaper or other periodical, pamphlet, circular, handbill, sample ballot or other imprinted or lettered material.

Requirement

Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor.

- a. Printed matter that is paid for by a candidate who has not formed a committee, print the first and last name by which the candidate is known.
- b. Printed matter that is paid for by a committee, print the name of the committee as registered with the appropriate election authority and the name and title of the committee treasurer who was serving when the printed matter was paid for.
- c. Printed matter that is paid for by a corporation, or other business entity, labor organization, or any other organization not defined to be a committee, print the name of the entity, the name and title of the principal officer of the entity, by whatever title known, and the mailing address of the entity.
- d. Printed matter that is paid for by an individual or individuals, print the name of the individual or individuals and the respective mailing address or addresses. If more than five individuals join in paying for the printed matter it shall be sufficient to print the words "For a list of sponsors contact:" followed by the name and address of one such individual who shall be responsible for causing the matter to be printed and the individual identified shall maintain a record of the names and amounts paid by other individuals.

II. **Exclusions** from printed matter – For the purpose of the campaign finance disclosure law, printed matter does not include any items of personal use given away or sold, such as campaign buttons, pencils or clothing, which is paid for by a candidate or committee.

III. **Radio and Television Advertisement** - Any broadcast station transmitting any matter relative to any candidate for public office or ballot measure shall identify the sponsor of such matters as required by federal law.

Contribution Limits for Candidates and Candidate Committees

A list of the current adjusted contribution limits may be found on the Commission's web site: <http://www.moethics.state.mo.us>.

CONFLICT OF INTEREST

The general provisions of the law as they apply to candidates provide that an elected official cannot use his/her office for financial gain for him/herself, spouse or dependent children; cannot vote to hire any person related to the fourth degree by blood or marriage. (i.e. great grandparent to first cousin)

The elected official, nor any company or partnership that the official has more than a ten percent (10%) interest in, cannot perform a service for the political subdivision for pay of more than \$500 per transaction or \$1,500 per year unless the service is bid and the official, company or partnership is the lowest bidder. This also applies to the sale, rent or lease of property to the political subdivision.

Elected officials cannot vote for or against any measure if they have received or have been promised any gift or payment of any item of value nor may they receive anything of value to influence the action of the political subdivision.

COMPLAINTS

Forms and instructions are available at <http://www.moethics.state.mo.us>.

Any individual may file a complaint with the Missouri Ethics Commission if that individual believes any candidate or other individual has violated the campaign finance disclosure laws, the personal financial disclosure laws, the conflict of interest laws, the lobby laws, or any order, ordinance or resolution dealing with the official conduct of officials. Any complaint against a candidate alleging a violation of the conflict of interest or lobbying laws will not be accepted by the Ethics Commission from sixty days prior to the primary until after the date of the general election. All complaints must be in writing and must be sworn to under penalty of perjury by the complainant.

Other laws within the jurisdiction of the Missouri Ethics Commission:

LOBBYING

Forms and instructions are available at <http://www.moethics.state.mo.us>

There are three types of lobbyist – legislative, executive, and judicial. Any person who attempts to influence the action of government in these branches may be a lobbyist. See section 105.470, RSMo for the definition of a lobbyist. Each lobbyist must register with the Missouri Ethics Commission. The registration fee is \$10. Each lobbyist must file a monthly report stating whether or not they spent money on elected officials, their families or their staff. Failure to file the monthly statement will result in a \$10 per day late fee. Lobbyists may terminate their status at any time.